

**PROPOSED DEVELOPMENT CONDITIONS****SE 2012-PR-007****September 6, 2012**

If it is the intent of the Board of Supervisors to approve SE 2012-PR-007 located at 8113 Leesburg Pike, Tax Map 39-2 ((2)) 52, to permit a waiver of certain sign regulations, pursuant to Sect. 9-620 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Jared at Tysons Corner" prepared by Charles P. Johnson & Associates, Inc. and Ruggles Sign Company, which is dated April 8, 2011 and revised through August 2, 2012 and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The maximum amount of building-mounted sign area shall be 235.81 square feet. Future modifications to the signage depicted on the SE plat may occur without amendment to this SE provided the maximum sign area is not exceeded and the number of signs and sign locations are in substantial conformance with those shown on the SE plat.
5. Prior to the issuance of a sign permit for the proposed sign, the applicant shall demonstrate to the Zoning Administrator that all directional and freestanding signs comply with Article 12 of the Zoning Ordinance.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a sign permit for the building-mounted sign on the western facade. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.